



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 18, 1992

Ms. Rosalinda Garcia
Assistant County Attorney
Harris County
1001 Preston, Suite 634
Houston, Texas 77002-1891

OR92-338

Dear Ms. Garcia:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 15937.

The District Clerk of Harris County has received a request for a computer printout of cash bonds posted in civil cases. You claim that the requested information is excepted from required public disclosure by section 3(a)(1) of the Open Records Act.

The Open Records Act generally requires a governmental body to disclose all information it collects, assembles or maintains, with certain enumerated exceptions. *See* V.T.C.S. art. 6252-17a, § 3(a). While section 2(1) of the Open Records Act describes the entities encompassed in the term "governmental body," the act also creates in subsection 2(1)(H) a judicial exception by stating that the "Judiciary is not included within this definition." The information at issue is information about cash bonds posted in pending or closed civil cases in trial and appellate courts. The district clerk is the custodian of district court records in civil cases. *See* Gov't Code §§ 51.301, 51.303. The records of the district court are not subject to the Open Records Act. *See* Attorney General Opinion H-826 (1976). We conclude that the list of cash bonds posted in civil cases maintained by the district clerk are records of the judiciary and are not subject to the Open Records Act.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-338.

Yours very truly,



Kay Guajardo
Assistant Attorney General
Opinion Committee

KHG/GCK/lmm

Ref.: ID# 15937

cc: Mr. Richard Eason
UCM
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